

# COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XXI. No. 1.] LONDON, SATURDAY, JANUARY 4, 1812. [Price 1s.

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## SUMMARY OF POLITICS.

THE LAST TEN YEARS.—This day ten years ago (the 1st of January) I sat down to write the first number of the Register. When I look back to that time, and consider how the country then stood, what a contrast presents itself to my mind! The preliminaries of peace had just then been concluded; the price of provisions had just then been lowered; the people were on tiptoe for commerce and manufactures; every print-shop window presented something demonstrative of friendship with Buonaparté, and the Attorney General, (now the prime minister) stood ready to prosecute, by information ex-officio, any one who dared to write what was called a libel upon that new friend of England.—Now, what is the picture? A war with that same Buonaparté, for the possession of the island of Malta, has led to the overthrow of every state formerly in alliance with us. A war for the island of Malta has put into the hands of that same Buonaparté the whole of Italy from the confines of France down to the shores of Calabria. It has united the Seven United Provinces to France. It has raised a new kingdom in the heart of Germany under a brother of Napoleon, in which kingdom are included the ancient dominions of the House of Brunswick. It has driven from their thrones the sovereigns of Spain and Portugal, and has gone pretty far towards putting those countries also into the hands of Buonaparté. It has made a naval arsenal at Antwerp, whence have already issued many ships of the line. It has paved the way for France becoming a great naval power. It has added five hundred millions to the national Debt of England. It has banished gold from circulation. It has ruined commerce and manufactures in England. It has, in this respect, produced a new order of things both in Europe and America, both of which can now dispense with English goods.—What inroads have been made upon English liberty during this period, I shall not, and need not, attempt to describe; and, as to the weight of taxes,

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who need be told of that?—Our state is now such as it never was before; and, that man must be blind indeed, who does not see that it is daily becoming more and more perilous.—Ask any man, be he of what party he may, what he thinks of the present state of things, and you will find, that he expects, that a *great change*, of some sort or other, will take place ere long. He cannot tell what it will be; he cannot even guess; he is full of fears, and that is all. The very hirelings of the press, whose trade it is to buoy up the spirits of the people, have no longer any plausible grounds of hope to hold out. They have uttered falsehoods so long, they have played off so many tricks, that their budget seems, at last, to be quite empty.—What will the state of the country be, then, at *the end of the next ten years*? What shall I have to record, before I come to the end of the *next twenty volumes* of this work?—I will hazard no speculation; nor, indeed, is it in the power of any man to form any idea of what is likely to happen. But, I think, one may venture to say, that the conduct of this government will not change; that, let which party will be in power, the system will, as long as it can, go on; and that it will continue to produce effects similar to those which it has already produced. How long the system will last no man can tell; but we may, by observing what it has done in *the last ten years*, judge of what it will do in each succeeding year; and, if we suppose its existence for another ten, we may form some idea of what our state will then be.—At any rate, come what will, the people will not have to blame the "*Jacobins and Levellers*." They were against the war, which has produced all the evil effects we witness. They were for letting the French republicans alone. They have had no hand in any of the measures that have been pursued; they have had no power, and are liable to no responsibility and no blame. They have been an object of incessant attack and abuse. The next ten years will shew whether they have merited this, or any part of it. If the coun-

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try shall be preserved by the present system; if it shall find itself secure from without and happy within at the end of the next ten years, why, then, I shall be ready to allow, that the "Jacobins and "Levellers" have been in error; but, if the contrary should prove to be the case, surely we shall then hear them acquitted; surely we shall no longer see them the object of attack and abuse.—

It is the common practice of men, to judge from *experience*. If a farmer finds that the managing of his land in a certain way produces loss instead of gain, he loses no time in changing his course; and so it is with all other men who act according to the dictates of reason. But, it would really seem, that governments act upon no such principle; that they are wholly deaf to the voice of experience; that they either do not see, or that they heed not, the consequences of their measures. Were not this the case, how could it possibly be, that no change should have taken place in the measures of any of the old governments that we have seen annihilated? In no instance have we seen them attempt to make any change; nay, they seem to have grown more and more attached to their several systems in proportion as the evil consequences of them became manifest to all the world. It can be accounted for only in this way: that the persons in the enjoyment of power and of the emoluments belonging to power have thought, that they would lose both by a *reformation* as effectually as by a *destruction* of the government; and, therefore, that, as they could lose no more by the latter than by the former, they have, in every case, endeavoured to uphold corruptions and abuses to the last possible moment, though they clearly saw the destructive consequences that must finally ensue. Destruction being, to them, the same thing as reformation in its effects, they have preferred the former to the latter, because the latter must, of course, be *earlier* in its operation. To tell a man in the enjoyment of the fruits of such a system, that the government would be finally destroyed unless it was speedily reformed, was not likely to weigh with him in favour of reformation; because he saw, at the same time, that, to him, reformation of the government was, in fact, destruction; and, therefore, the later it came the less grievous it was to him.— Here we have the real cause of what has been called the *blindness* of the old govern-

ments, but which was nothing more than the natural desire of those, who lived by corruptions and abuses, to live as long as they could.—We here see, also, the cause of that *persecution of opinions*, which has invariably increased as the old governments felt their danger increase. Those, who enjoyed the wealth sucked from the veins of the people, by the means of corruptions and abuses, would naturally make use of their *power* to prevent the propagation of opinions tending to undermine and destroy those abuses; and, as the danger of destruction became more imminent, the endeavours to prevent it would, of course, become more active. The persecution has, therefore, in all these cases, been the effect of fear; and, it is well known, that cruelty is never so great as when it has such a foundation. Look at the murders that are committed, and you will find nine-tenths of them arising from the same cause. It is the fear of detection that draws the murderer's knife and steels his heart. The tyrants of Africa are bloody from fear: they kill others, lest those others should kill them. The persecution of the propagation of opinions, which we have witnessed in the old governments now no more, have proceeded from the same cause as the horrible murders at Marr's and Williamson's: the *fear of exposure*, and the consequent infamy and punishment.—When men have expressed their surprize at seeing those old governments grow more and more tyrannical and cruel in proportion as their situation became perilous; when they have exclaimed: "how blind! how mad! thus "to excite additional hatred against themselves at such a time, when they ought to "see that they stand so much in need of "the good will of the people!" When men have thus exclaimed, they have not duly considered the *motive* of those governments; if they had, they would have felt no surprize.

SPAIN.—As a military scene this country presents nothing new. The war seems to be nearly at an end; for, as to the roving bands, called Guerillas, they do not appear to be much more formidable than the bands in Nottinghamshire. They flee at the first approach of any thing like an army; they hide themselves in woods; they commit depredations upon convoys. But, such bodies cannot, one would think, long exist while the country is covered with large armies. Our venal prints tell



us, that Buonaparté is in a worse situation than he was in the last campaign. I do not see how that can be; but, this I can see, that he has possession of all Spain, here and there a small spot upon the coast excepted. If Valencia should fall, what is there left but Cadiz? I can see very little more. If I look over Spain, I see the French in every principal town, those two excepted. I see them the masters of every Province of Spain. And, am I still to believe, that they are in a worse condition than they were before? Common sense forbids me to believe this. Besides, do I not read, in the Gazette, a notification to neutrals not to enter the principal river of Spain; that river which leads into the heart of it? For what is this? What do we want more than this to convince us, that the enemy has possession of the country?—Indeed, it is childish to talk about the matter. Any man who has eyes to see, must see that Napoleon is in possession of Spain, with the exceptions above mentioned.—But, we are now told, that things are not in the most sure state *even at Cadiz*. It has long been pretty evident, that the Cortes were not very friendly to the connection with England; and something of this sort is now openly stated in our news-papers. As long ago as the affair, in which General Graham was engaged, there appeared marks of disunion. The high praises bestowed here upon General Graham, while the Spanish General Lapena was accused of cowardice or treason by our news-papers, must have tended, as I then said it would, to produce ill blood. The latter was accused, in the most unqualified terms, of being a coward or a traitor; and some of our journals went so far as to *demand his life*. He has, it seems, been tried: or, at least, his conduct has undergone an investigation, the result of which is, it appears, greatly to his honour. We are told, that, in the sittings of the Cortes of the 1st of December, “The Report of the Military Commission was read, and also the resolution of his Majesty, with regard to the military conduct of General Lapena at the battle of Chiclana. From these documents it appeared, that the object of that action was to raise the siege of Cadiz; that General Graham, being questioned by General Lapena, *on account of his having retired to the Isla with the troops of our allies*, replied FIRST, *that he waited for an answer from the English Minister*, in reply to a note which he had

sent him; and AFTERWARDS, *that the English troops, having suffered much, could not at that moment do more than guard the lines for the purpose of aiding the ulterior operations of the Spanish army.* The Report then went on to state, that the Generals who composed the Court of Inquiry were in substance agreed in *approving the conduct of General Lapena, who had not failed to do every thing dictated by military skill, and a prudent zeal.* In conformity to this opinion, the Cortes thought it incumbent on them to declare that General Lapena *had fully done his duty on the above day, and ought to be reinstated in his rank.* His Majesty has therefore declared, that the Cortes are satisfied with the military conduct of General Lapena.” This fiction of *his Majesty* makes one laugh, to be sure; but, it is clear, at any rate, that the persons whom we consider as composing the *Spanish government* have declared, that the General, whose life was demanded by our news-papers, has been declared to have done his duty upon the occasion alluded to. Now, then, what are we to think? Are we to think, that our former accusations against General Lapena were true? If so, we must conclude, that the declaration of the Cortes is false; and, if we draw that conclusion it will require some little ingenuity to assign a cause for the falsehood, other than that of a feeling in that body decidedly hostile to English connection. If we are to think, that the declaration of the Cortes is true; what shall we be able to say in justification of the terrible denunciations uttered here against General Lapena? And, how are we to expect, that the Spanish officers will ever act cordially in co-operation with ours?—It appears to me, that this was the beginning of those jealousies, which seem, at last, to have led to something very serious. We are told, that there is now a *dispute*. Amongst allies *want of success* is almost always productive of a want of harmony; and, in addition to that cause, there appears to be another at work in the Isle of Leon; namely, *a want of money*; a most fruitful source of misunderstanding.—It is pretty generally known, that the South American mines have not, of late, sent much of their treasure to Old Spain; and, as to internal revenue, that is out of the question, the country being in the hands of the French. Yet, to keep possession of the Isle of Leon demands great sums of money. In this state, the Spanish Government has, it



seems, applied to our Ambassador for a loan to be raised in England of a million sterling, in the same way as the loans were raised for our august ally the Emperor of Germany, and our most faithful Ally, the Prince Regent of Portugal. The Cadiz news-papers speak of the scheme in these words:—"It appears that the British Ambassador at this Court has sent by the English ship of war the Canopus, for the approbation of his Government, the plan of a Provincial Junta for this city, which has already obtained the approbation of the Supreme Council of Regency and of the Cortes, respecting a new system that ought to be adopted, in order to provide for the subsistence of this district and its defenders. The preservation of this island, which at present has such weight as to the independence of the kingdom, and the hopes of its safety, and the avoiding the danger which may ensue from the distress of the soldiers and sailors, in rendering the place defenceless, notwithstanding all its fortifications, are the objects which the Junta have had in view in the proposed plan; the principal points of which are as follow:—The entire amount of the public revenue of this district shall be deposited in the provincial treasury of this city.—A loan for forty millions of reals (about one million sterling) shall be opened, on the part of the English Government, in favour of the Spanish, under the guarantee or credit which the former shall give the latter for an equivalent consideration, to be negotiated by the Junta of Cadiz.—Of this sum, four millions shall be applied monthly, to increase the revenue of the provincial treasury; but this sum on no account to be exceeded.—Both sources of revenue shall be employed solely in paying the army and navy employed in the defence of this island, for the military hospitals, the fortifications, and the pay of the *Deputies of the Cortes, the Regency, and Secretaries of Dispatch*. Since, according to the estimate of the Treasurer-General, the revenue of the district, even with the addition of four millions of reals monthly, is inadequate for all the objects mentioned, the deficiency shall be made up by a fair and equitable proportion. The distribution shall be verified by the Intendant, and the junta shall exercise its proper jurisdiction for the direction of the Provincial Junta, agreeably to the instruction of the Council of Regency of

the 18th of April; and reforms shall be set on foot, in order to establish the most rigid economy. The loan shall be deemed in four years by equal payments, for which purpose the Junta shall regulate the proper proportions; this district, in a fair proportion with the other provinces, participating in the public revenue which accrue from America. No other contribution shall be imposed on this district. The Junta alone shall have the power of laying on these imposts, and also of repaying the different sums of the loan, at the appointed periods. As soon as the English Government shall have approved of the loan, this system is to be immediately carried into execution; but not unless the loan can be accomplished.—The Junta, notwithstanding, seeing the absolute want of provisions, during the present month, for the support of the army and gun boats of this district, has undertaken to supply them, being persuaded that, during the present month, the English Government's approbation of the loan will be obtained; but without carrying the preceding plan into complete execution, till this essential requisite shall be ascertained."—The plain English of this is, that, if we mean for the Spanish government to co-operate any longer with us, in the defence of the Island, we must not only pay the expences of that defence, but must also pay the *Deputies of the Cortes and the members of the government their salaries!* It is but a loan; but who is to repay the money? What security will there be? What is this *equivalent consideration*, that they talk of? They will give us a mortgage upon the mines, perhaps, or upon the revenues of Old Spain. But, how are they to enable us to get that mortgage paid off, or to seize in case of non-payment? Those possessions are in the hands of third parties. They might as well offer us a mortgage upon any part of the Moon. It is, therefore, idle to call it a loan. It is a sum of money demanded as being necessary to the defence of a place, which is, as the Spaniards think, *useful to us*.—If we wanted any proof of the French being, in fact, the masters of Spain, here we have it; for, what is being master of a country, if being master of all its revenue is not?—It has been often said here, that we were fighting the battles of England in Spain; and, if that be really the case, there does appear to be some reason for this de-



mand. At any rate, the language of this statement is much too clear to leave any doubt, that, if the Island is to be defended any longer, we must bear the whole of the expence of such defence, and pay all the members of the government into the bargain.—I think, that there can be no doubt, that the Spanish government has, at last, spoken in pretty plain language. They have had now a good deal of experience; and they are able to make their *choice*. By refusing them the money, we should, I have no doubt, soon produce that effect which I have long been expecting. But, what are we to gain by giving them the money? We may have their name to make use of for some time longer; but that appears to me to be all; for, as to what they do towards the defence of the Island, it is, I imagine, little or nothing. They themselves are to have their *salaries* paid out of it, it seems. That looks very ugly; for, if they really want that, they are *ours* and do not belong to the people of Spain. We had poor sovereigns to maintain before; but to have the whole government to pay is rather too much.—Buonaparté has, for many years, been blamed for every thing done, or said, against us, no matter by whom. It was he who seduced the Emperor of Austria; it was he who put words into the mouth of the Emperor of Russia. Oh! he is a coaxing little rogue! But, who would have thought of his being at the bottom of this proposition for a loan upon us? Yet, this is the conjecture of that sagacious personage, who conducts the Times news-paper, who lays all the fault upon him, and even insinuates, *that the money is intended to go into his pocket!* The passage I allude to is as follows:—"Our readers will perceive  
 "in another part of the paper the plan  
 "of a Loan, whereby this Government  
 "is to accommodate that at Cadiz, or  
 "rather a new Local Administration there,  
 "with a considerable sum of money, to  
 "be applied to the preservation of the  
 "City and of the Isle of Leon. This sub-  
 "ject is the more to be noted now, inas-  
 "much as it is reported to have given oc-  
 "casion to the disputes between Mr.  
 "Wellesley and the Spanish Authori-  
 "ties. The plan itself, whether it shall  
 "be ever executed or not, is said, how-  
 "ever, to have been transmitted to Eng-  
 "land for the approbation of our mi-  
 "nisters. How they may determine is  
 "uncertain. The Spaniards will recol-

lect how large a force we already main-  
 "tain at Cadiz, for the preservation of  
 "the place; and the real friends to the  
 "independence of Spain in general, that  
 "is, among the Spaniards themselves,  
 "must feel averse to any proposition of  
 "imposing fresh burthens upon England.  
 "It should be considered how much it is  
 "the interest of the enemy to prompt his  
 "*secret partizans* to make huge demands  
 "upon us, in the name of Spain, with the  
 "hope of exciting disgust among us.  
 "Whatever one gallant nation can do for  
 "another in distress, we have done, and  
 "shall continue to do; but we must not  
 "subject ourselves to the importunities of  
 "*Buonaparté himself*, through the medium  
 "of *those few Spaniards whom he has been*  
 "*enabled to seduce from their country's cause.*  
 "We do not mean to apply these observa-  
 "tions to the case specifically before us,  
 "but generally, to our whole intercourse  
 "with the inhabitants of the Peninsula."

—Here is a very broad insinuation, that the demand has been made at the instigation of Buonaparté; and here is a clear admission that he has some partizans in the government of Spain; because it is by the government that the demand on us has been made. *Partizans!* And, is it come to this at last? But, why not? It is always so. Whenever any thing is said or done contrary to the wish of our government by any body, in any place, at home or abroad, the parties are always, they are invariably, accused of being the partizans or emissaries of Buonaparté. If any man in England says a word finding fault of the government, no matter about what, he is an emissary of Buonaparté. If a man complain of a surcharge, he is an emissary of Buonaparté. Complain of the treatment of the soldiers, you are an emissary of Buonaparté. Complain, as some do, that enough is not done against France, you are an emissary of Buonaparté. Point out the means of rendering this country secure against Buonaparté, and you are one of his emissaries. There is no such thing as escaping this charge, if you open your lips against any act of the government, or any person in power. Those who stirred the matters against the Duke of York were emissaries of Buonaparté; and those who made motions about the sale of seats in the House of Commons; they were his decided emissaries. Call for the abolition of a sinecure place, and you are an emissary of Buonaparté, and you are still a worse emissary, if you



prefer gold to Bank Notes. The Queen of Naples (Sicily I should say) has long been accused by our venal writers of being a partizan of Buonaparté; and, now, it seems, the same charge is to be laid against part, at least, of the government of Spain; that government which was once so loudly cried up, and in which we were told to look for every thing brave, wise, and just.—We are an unfortunate nation in our connections at least, whom we generally find, in the end, to be partizans of our enemy. We are continually told of his rapacity and tyranny, of his perfidy towards his allies, of his cruelty to all who fall under his grasp; and yet he has partizans! We state ourselves to be the reverse of him in all respects, moderate in our desires, mild in our sway, faithful to our allies, humane towards all the world; and yet there are people, and even exalted people too, partizans of him against us! Really we are too good to live in this wicked world. We are too good: the world is not worthy of us.—It is a favourite idea, that we are to be the *deliverers* of Europe; but what sort of progress are we making in this work in Spain? Where is now Mr. Canning's "*universal Spanish Nation*?" It is nearly all in the Island of Leon, and stands in need of money from England to defend it. This result was, however, easy to foresee. It was, from the first, as clear as day light, that, if the Spanish cause did not become the cause of freedom, it would fail; because there was no other object worth contending for. I do not know, that the state of society in Spain was such as to encourage the hope of the people taking up arms in the cause of freedom, but it was very obvious, that, if they did not take up arms for that, they would not take them up for any thing else. We hear a great deal of talk about the *liberties* and *independence* of Spain; but, these are mere words; mere empty sounds. Liberty is a thing that every man understands; he feels that it is something valuable to him; and, if he does not see that he is to get any thing better under Ferdinand than under Joseph, why should he venture his life in the quarrel? He will, in such a case, naturally be on the side of the strongest, and thus have we seen the great body of the Spaniards from the beginning to the present day.—*Independence!* And, what is independence? What does it mean? Why, as applied to nations it means that honourable state, in which a nation is

placed, when it is not at the nod and does not stand in awe of any other nation. But, what did the people of Spain know of this. I question much whether it would be in the power of the most able expositor to make them understand the meaning of the word. What is independence to a wretched being, whose dinner is an earthen pipkin of chesnuts and whose bed is a handful of rushes, heath, or stubble? For men to fight for national independence, they must not only know what it means; but must also feel that they possess something that it would be painful to lose. They must have a conviction in their minds, that the conquest of their country would make their lot worse than it is. Without this conviction all the rattling artillery of words is of no use. A wretched rabble may now and then be stirred up by national antipathy or by religious zeal and fury; but, the steady efforts, necessary for the defence of a nation, were never yet produced without a conviction of their tending to better the lot of the people or to prevent it from becoming worse. It was this conviction which roused and animated the French people at the out-set of the Anti Jacobin war. Stories were told about giving their armies brandy and playing the Marsellois hymn to them in the heat of battle. But, it was the conviction, of which I am speaking, that was the brandy that gained the victories over the enemies of France. Of this brandy the poor Spaniards have not yet had a taste; and that is the true cause of the French being masters of Spain.—How this loan project may end I shall not pretend to foretell; but, I will venture one conjecture, and that is, that, if the Spanish government insist upon the loan, and we refuse it, there will very soon be an end to any thing like war in Spain; and then we shall see the same writers who, a little while ago, recommended a seizure of the Island of Sicily, also recommend the seizure of the Island of Leon; nor should I at all wonder to hear them assert the measure to be absolutely necessary to the *independence* of that Island.

AMERICAN STATES.—I now resume where I left off in my last, when I proposed to offer some observations upon the American Correspondence as relating to the *occupation of the Floridas*, and to the *Orders in Council*.—This latter subject has, however, been so fully discussed, that, really, there remains nothing to be said



upon it, especially after the publication of the correspondence between our Secretary of State for foreign affairs, Lord Wellesley, and the American Minister, Mr. Pinckney, which I shall endeavour to get into this Number, and to which I beseech the attention of the reader.—There are but two letters for him to read; but these two are quite enough. I have read a great many diplomatic letters in my time; but, such a letter as Mr. Pinckney's I certainly never read. It is a model for men who have to conduct disputes of this sort. It is a masterpiece of reasoning, and the style and manner are equal to the argumentative powers displayed. Mr. Pinckney seems to have laid aside the lawyer for this once, and to have resolved to write like a statesman and a patriot. I never read so good a letter; but, I must confess, that, as I read it, the justice of the case was more than once lost in feeling for my country. The contrast is, in all respects, so great, that no comparison can be made; though it is but justice to Lord Wellesley to say, that his adversary had all the advantages belonging to a good cause. The answer of the Republican is, in many instances, sharp and satirical; but he no where loses sight of dignity, and these qualities united are very rarely to be met in any writing whatever.—The question relating to the *Floridas* is new; and it is as neat and snug a dispute, take it altogether, as we ever got into, the dispute about Nootka Sound or about the opening of the Scheldt not excepted.—The case is this: The reader knows, that the *Floridas* are two provinces in North America, which are (or, rather, were) colonies of Spain; that they lie on the south of Georgia, the southernmost State of the Union, that they form the southernmost end of that chain of coast, which, 1,400 miles in length, extends from the bay of Funday to the gulph of Mexico, and that, with these in their possession, the United States would be masters of the whole of that chain of coast. Let the reader, who forgets where the *Floridas* are (and, God knows, that the events of the last 18 years are enough to drive it out of his recollection) imagine himself possessed of a piece of land lying by the side of a common (his house in the middle), thirteen acres in his own hands, and one acre, at the end, in the hands of another person, and he wanting only that one acre to make his parcel complete, and to guard him against depredations, the

common right being partly attached to that one acre; and then he will have, in that acre, a tolerably correct idea of the *Floridas* in their bearing upon the American States.—Now, then, the *Floridas*, or, rather, Florida, is divided into two, the one called West and the other East Florida, the former extending back to Louisiana towards the West, the latter bounded by the Atlantic Ocean to the East, both bounded to the North by Georgia and to the South by the Gulph of Mexico.—The United States have taken possession of both.—I have said before, that they were colonies of Spain. Therefore, Mr. Foster, our Minister now in America, had scarcely taken time to eat his first dish of ham and fried eggs, when he began to complain of these invasions. He had an uphill battle to fight about the Orders in Council, and this complaint about the *Floridas* appears to have been looked upon as a sort of set-off or make-weight in the negociation. In short, he makes a regular and formal complaint, in the name of the Prince Regent (in behalf of His Majesty), of the occupation of the *Floridas* by the American States. He says, that there exists between England and Spain the most strict and friendly alliance; that Spain is contending for her liberties and independence against a most unjust and wicked invasion; that the Prince Regent cannot view with indifference any attempt to deprive her of her territories; and that it is indicative of ungenerous and greedy ambition to make such an attempt at such a time.—Jonathan coolly answers, that, in the first place, he does not acknowledge the right of England to interfere at all in any of his concerns with Spain; he passes over in silence all that is said about the wickedness of the French in invading Spain; he says, that though he has seen other nations guilty of ungenerous and greedy ambition, he disclaims all such motives; and, that, though England has no sort of right to call upon him for any explanation of his conduct towards a third power, he will, to shew how sincerely he is disposed to cultivate harmony, voluntarily give such explanation with regard to the *Floridas*. And thus, in brief, he gives it.—He says, that, as to one part of Florida, it is his own, he having bought it of France, to whom it had been ceded by Spain, and that, therefore, he takes possession of that in full right. That, as to the other part, he has taken possession



of it as a security for a debt, due by Spain to the people of the United States. As to this last claim, it is alledged, by Mr. Monroe, that Spain, several years ago, committed great spoliations upon the commerce of America; that the latter made application for payment for these; that a cession of the Spanish part of Florida had been proposed as a compensation to America; but that the negociation was put an end to by those troubles in Spain which led to the struggle now going on in that country. Therefore, say the Americans, we hold this territory as a security for the payment of the debt due to us from Spain. This is very fair ground, supposing all the facts to be true; for, one nation has certainly as good a right to seize the land of another as that other has to seize its ships and merchandize. The seizure of the Floridas, as far as they belong to Spain, is, in this case, an act of retaliation fully justified by reason as well as by the usages of nations; and, it is the less to be blamed as coming so late; for, it appears from Mr. Monroe's statement, that the American States were endeavouring, for a long time, to obtain by negociation that which they were at any moment, able to secure by force.—But, the question presents itself in a point of view much more interesting than this, when Mr. Monroe comes to talk of *third powers*, and the necessity there was of *preventing any third power from taking possession of the territory in question.*—The contest in Spain was from the first, a very interesting one to the American States; for, if it ended in the placing of a Buonaparté upon the throne, or in the subjugation of Spain by France, and the annexation of it to the French empire; then Florida became a colony of France, and placed a most formidable power on one of the flanks of the American States, which they could not look forward to without alarm. If France was foiled in her attempts upon Spain, it was evident, that, considering the situation of Ferdinand VII. and other circumstances, Spain would be wholly dependent upon England, and the probabilities were that the latter would obtain from her some colonial cession in repayment of loans or of services, and that, at any rate, the Spanish government would, in all its acts, become subservient to England. Besides, if Napoleon did obtain the complete sovereignty of Spain, it was not to be doubted, that England, having the command of the sea, would prevent

him from obtaining possession of the colonies of Spain; and, it was naturally to be expected, that, under colour of preserving Florida to its rightful sovereign, England would have taken possession of it, if Napoleon became wholly master of old Spain.—Thus, end in what way it would, the struggle in Old Spain threatened the American States with a dangerous neighbour, and which neighbour, therefore, they were, it seems, resolved not to have. They would have disliked us for neighbours more than the French; but they resolved to have neither. From the Old, feeble, crazy government of Spain they had nothing to dread; but they had much to dread from France and more to dread from us. Therefore, they resolved to be before hand, knowing, that, amongst nations as well as amongst individuals, possession is nine points out of ten in any dispute.—But, after all, it may be a question how far the American States would have been justified in taking possession of the Floridas merely upon viewing the situation of Old Spain. What is that situation? Why, the Old King of Spain, the only sovereign of Spain that the American States have ever acknowledged, has, in our view of the matter, been succeeded by his son, in whose name the Regency of Spain is acting. This Old King denies that his son has any lawful authority as sovereign of Spain. And, both of them have abdicated their rights in favour of Buonaparté, who has the persons of both in his possession. Now, under these circumstances, how are the Americans to be supposed to pay any regard to any of the acts of the Regency or Cortes of Spain, who have controul over scarcely any part of Spain, where, indeed, there is a Buonaparté reigning in virtue of the abdication of the Old family? How are the Americans to know who will finally be sovereign of Spain? It appears to me, that, agreeably to every principle of public law, they are at full liberty to choose whether they will acknowledge any sovereign in Spain, except the Old King, as long as he shall live. They have a right, of course, to consider any other power as power usurped, or assumed by conquest; and, be it observed, that the right of conquest, though perfect, as far as actual force extends, cannot give any right to territory *not actually conquered.* Buonaparté, if he conquer Spain, will have a right to Spain, as we have to Martinico and Java; but, the conquest of Spain will give him no title to

Florida he must by consequence were element of they would fusing govern less the be re-e and ac Americ whereo quishm —Th avoided they g they w in Flor wonder have fo imagin induce up so which involve about c they k and Co rightfu Spanish but, th they h nand; litical Ferdin at the narrow saw Fe at Ma Spain the sid ple of S of thei against the Ar puzzled keep p people themse now st so cle except

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Florida. To have an equal right to that he must first actually gain possession of it by conquest.—Therefore, if Buonaparté were even to tender the Americans payment of the debt due to them from Spain, they would have solid grounds for objecting to deliver Florida up to him. They would have equally solid ground for refusing to deliver it up to us or to the new government in Spain; and, in short, unless the old king, or his lineal descendant, be re-established upon the throne of Spain, and actually governing that country, the Americans have always good ground whereon to resist any demand of a relinquishment of the territory in question.—The American government have avoided touching upon these points; but, they give us clearly to understand, that they will suffer *no third power* to set a foot in Florida. And, really, it does seem wonderful, that our Ministers should not have foreseen this; that they should have imagined, that the Americans would be induced by their remonstrances to give up so important an object, a thing in which their peace and safety are so deeply involved. What do the Americans know about our alliance with Spain? What do they know about the Spanish Regency and Cortes? *We* say that these are the rightful rulers of Spain and that the Spanish colonies are under their controul; but, the Americans have never said so; they have never acknowledged Ferdinand; they may have no faith in that political transubstantiation which makes Ferdinand present at Cadiz and in France at the same time; theirs may be a more narrow belief than ours; and, even if they saw Ferdinand at Cadiz, they see Joseph at Madrid with more of the people of Spain on his side than there would be on the side of his rival. If, indeed, the *people* of Spain had assumed the government of their country; if they had made war against Napoleon in *their own name*; then the Americans might have been a little puzzled for grounds whereon to take and keep possession of the Floridas, unless the people of Florida had chosen to unite themselves to the States; but, as things now stand, the grounds of justification are so clear as not to admit of disputation, except for disputation sake.

PRICE OF BREAD.—I am not one of those who have much opinion of what are called *substitutes* in times of dearth, since *all the food will be eaten in one shape or ano-*

*ther*, and, therefore, the change of shape amounts, generally, to no more than robbing Peter to pay Paul. Yet, there are cases, when it may be useful to know how other materials besides wheat may be made to assist in the making of bread, that being the article of food in most general use. I will, for this reason, give an account of what has been done in the application of *rice* to this purpose by a Mr. Gates, a Baker at Peckham, at the suggestion and with the friendly assistance of Mr. Timothy Brown. I speak from experience; I have the bread regularly; it is as good if not better than the common baker's bread: and it is *two-pence in the quartern loaf cheaper*. The rice is *not ground*, but dissolved in cold water. There appears to be no difficulty in the process; and this is certainly one way in which it may be used to advantage. About one pound of rice to three of flour is the quantity used.—I am aware that the whole quantity of rice in the kingdom is not great, and I am also aware, that, if not eaten in the shape of bread, the rice would be eaten in some other way; but, there are cases, in which this sort of application may be of utility, and it is a fact worth knowing, that the bread thus composed, while it is full as good, not only can be, but actually *is*, sold, at a price one ninth below that of the common baker's bread.

WM. COBBETT.

State Prison, Newgate, Friday,  
3d January, 1812.

#### AMERICAN STATES.

##### ORDERS IN COUNCIL.

Mr. Foster to Mr. Monroe. July 3, 1811.

(Continued from Vol. 20, p. 832.)

This fact will not be suffered to remain in doubt; and if the repeal of the orders in council should take place, the intention of his Majesty's government respecting the blockade of May, 1806, will be notified at the same time.—I need not recapitulate to you the sentiments of his Majesty's government, so often repeated, on the subject of the French minister's note to General Armstrong, dated the 6th of last August. The studied ambiguity of that note has since been amply explained by the conduct and language of the government of France; of which one of the most remarkable instances is to be found in the speech of the chief of the French government, on the 17th of last month, to certain deputies from



the free cities of Hamburgh, Bremen, and Lubeck; wherein he declares, that the Berlin and Milan decrees shall be the public code of France as long as England maintains her orders in council of 1806 and 1807. Thus pronouncing as plainly as language will admit, that the system of violence and injustice of which he is the founder, will be maintained by him until the offensive measures of retaliation to which they gave rise on the part of Great Britain shall be abandoned.—If other proofs were necessary to shew the continued existence of those obnoxious decrees, they may be discovered in the imperial edict, dated at Fontainebleau, in Oct. 19, 1810—that monstrous production of violence, in which they are made the basis of a system of general and unexampled tyranny and oppression over all countries subject to, allied with, or within the reach of the power of France; in the report of the French minister for foreign affairs, dated last December, and in the letter of the French minister of justice to the president of the council of prizes. To this latter, Sir, I would wish particularly to invite your attention: the date is the 25th Dec. the authority it comes from most unquestionable, and you will there find, Sir, the Duke of Massa, in giving his instructions to the council of prizes, in consequence of the President of the United States' proclamation of Nov. 3, most cautiously avoiding to assert that the French decrees were repealed, and ascribing not to such repeal, but to the ambiguous passage which he quotes at length from M. Champagny's letter of Aug. 5, the new attitude taken by America; and you will also find an evidence in the same letter of the continued capture of American ships after Nov. and under the Berlin and Milan decrees, having been contemplated by the French government, since there is a special direction given for judgment on such ships being suspended in consequence of the American proclamation, and for their being kept as pledges for its enforcement.—Can then, Sir, these decrees be said to have been repealed at the period when the proclamation of the President of the United States appeared, or when America enforced her Non-importation Act against Great Britain? Are they so at this moment? To the first question, the state papers which I have referred to, appear to give a sufficient answer: for, even supposing that the repeal has since taken place, it is clear that on November 3rd, there was no ques-

tion as to that not being then the case; the capture of the ship *New-Orleans Packet* seized at Bordeaux, and the *Grace-Ann-Green*, seized at or carried into Marseilles, being cases arising under the French decrees of Berlin and Milan as is very evident. Great Britain might therefore complain of being treated with injustice by America, even supposing that the conduct of France had since been unequivocal.—America contends, that the French decrees are revoked as it respects her ships upon the high seas; and you, Sir, inform me, that the only two American ships taken under their maritime operation, as you are pleased to term it, since Nov. 1, have been restored; but may they not have been restored in consequence of the satisfaction felt in France at the passing of the Non-importation Act in the American Congress, an event so little to be expected; for, otherwise, having been captured in direct contradiction to the supposed revocation, why were they not restored immediately?—The fears of the French navy, however, prevent many cases of the kind occurring on the ocean under the decrees of Berlin and Milan; but the most obnoxious and destructive parts of those decrees are exercised with full violence, not only in the ports of France, but in those of all other countries to which France thinks she can commit injustice with impunity.—Great Britain has a right to complain that neutral nations should overlook the very worst features of those extraordinary acts, and should suffer their trade to be made a medium of an unprecedented, violent, and monstrous system of attack upon her resources; a species of warfare unattempted by any civilised nation before the present period. Not only has America suffered her trade to be moulded into the means of annoyance to Great Britain under the provisions of the French decrees; but, as construing those decrees as extinct upon a deceitful declaration of the French Cabinet, she has enforced her Non-importation Act against Great Britain.—Under these circumstances, I am instructed by my Government, to urge to that of the United States, the injustice of thus enforcing that Act against his Majesty's dominions; and I cannot but hope that a spirit of justice will induce the United States' Government to re-consider the line of conduct they have pursued, and at least to re-establish their former state of strict neutrality.—I have only to add, Sir, that on my part,

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I shall ever be ready to meet you on any opening which may seem to afford a prospect of restoring complete harmony between the two countries, and that it will at all times give me the greatest satisfaction to treat with you on the important concerns so interesting to both.

*Mr. Foster to Mr. Monroe, July 11, 1811.*

Sir,—In consequence of our conversation of yesterday, and the observations which you made respecting that part of my letter to you of the 3d instant, wherein I have alluded to the principle on which his Majesty's Orders in Council were originally founded, I think it right to explain myself, in order to prevent any possible mistake as to the present situation of neutral trade with his Majesty's enemies.—It will only be necessary for me to repeat what has already, long since, been announced to the American Government, namely, that his Majesty's Order in Council, of April 26, 1809, superseded those of November, 1807, and relieved the system of retaliation adopted by his Majesty against his enemies from what was considered in this country as the most objectionable part of it,—the option given to neutrals to trade with the enemies of Great Britain through British ports on payment of a transit duty.—This explanation, Sir, will, I trust, be sufficient to do away any impression that you may have received to the contrary from my observations respecting the effects which his Majesty's Orders in Council originally had on the trade of neutral nations. Those observations were merely meant as preliminary to a consideration of the question now at issue between the two countries.

*Mr. Monroe to Mr. Foster, July 23, 1811.*

Sir,—I have submitted to the President your several letters of the 3d and 16th of this month, relative to the British orders in council, and the blockade of May, 1806; and I have now the honour to communicate to you his sentiments on the view which you have presented of those measures of your government.—It was hoped that your communication would have led to an immediate accommodation of the differences subsisting between our countries, on the ground on which alone it is possible to meet you. It is regretted that you have confined yourself to a vindication of those measures which produced some of them.—The United States are as little disposed now as heretofore to enter

into the question concerning the priority of aggression by the two belligerents, which could not be justified by either by the priority of those of the other; but as you bring forward that plea in support of the orders in council, I must be permitted to remark, that you have yourself furnished a conclusive answer to it, by admitting that the blockade of May, 1806, which was prior to the first of the French decrees, would not be legal, unless supported through the whole extent of the coast from the Elbe to Brest by an adequate naval force. That such a naval force was actually applied and continued in the requisite strictness until that blockade was comprised in and superseded by the orders of November of the following year, or even until the French decree of the same year, will not, I presume, be alleged.—But waving this question of priority, can it be seen without both surprise and regret, that it is still contended that the orders in council are justified by the principle of retaliation, and that this principle is strengthened by the inability of France to enforce her decrees. A retaliation is in its name, and its essential character, a returning like for like. Is the deadly blow of the orders in council against one half of our commerce, a return of like for like to an empty threat in the French decrees against the other half? It may be a vindictive hostility, as far as its effects fall on the enemy: but when falling on a neutral, who on no pretext can be liable for more than the measure of injury received through such neutral, it would not be a retaliation, but a positive wrong, by the plea on which it is founded.—It is to be farther remarked, that the orders in council went even beyond the plea, such as this as appeared to be, in extending its operation against the trade of the United States, with nations which, like Russia, had not adopted the French decrees, and with all nations which had merely excluded the British flag—an exclusion resulting as matter of course with respect to whatever nation Great Britain might happen to be at war.—I am far from viewing the modification originally contained in these orders, which permits neutrals to prosecute their trade with the Continent through Great Britain, in the favourable light in which you represent it. It is impossible to proceed to notice the effect of this modification, without expressing our astonishment at the extravagance of the political pretension set up by it: a preten-



sion which is utterly incompatible with the sovereignty and independence of other states. In a commercial view it is not less objectionable, as it cannot fail to prove destructive to neutral commerce. As an enemy, Great Britain cannot trade with France. Nor does France permit a neutral to come into her ports from Great Britain. The attempt of Great Britain to force our trade through her ports would have therefore the commercial effect of depriving the United States altogether of the market of her enemy for their productions, and of destroying their value in her market by a surcharge of it. Heretofore it has been the usage of belligerent nations to carry on their trade through the intervention of neutrals; and this had the beneficial effect of extending to the former the advantages of peace, while suffering under the calamities of war. To reverse the rule, and to extend to nations at peace the calamities of war, is a change as novel and extraordinary, as it is at variance with justice and public law.—Against this unjust system, the United States entered, at an early period, their solemn protest. They considered it their duty to evince to the world their high disapprobation of it, and they have done so by such acts as were deemed most consistent with the rights and the policy of the nation. Remote from the contentious scene which desolates Europe, it has been their uniform object to avoid becoming a party to the war. With this view they have endeavoured to cultivate friendship with both parties by a system of conduct which ought to have produced that effect. They have done justice to each party in every transaction in which they have been separately engaged with it. They have observed the impartiality which was due to both as belligerents standing on equal ground, having in no instance given a preference to either at the expence of the other. They have borne, too, with equal indulgence injuries from both; being willing, while it was possible to impute them to casualties inseparable from a cause of war, and not to a deliberate intention to violate their rights; and even when that intention could not be mistaken, they have not lost sight of the ultimate object of their policy. In the measures to which they have been compelled to resort, they have in all respects maintained pacific relations with both parties. The alternative presented by their late acts, was referred equally to both, and could operate on

neither no longer than it should persevere in its aggressions on our neutral rights. The embargo and non-intercourse were peaceful measures. The regulations which they imposed on our trade were such as any nation might adopt in peace or war, without offence to any other nation. The non-importation is of the same character; and if it makes a distinction at this time in its operation between the belligerents, it necessarily results from a compliance of one with the offer made to both, and which is still open to the compliance of the other.—In the discussions which have taken place on the subject of the Orders in Council and blockade of May 1806, the British Government, in conformity to the principle on which the Orders in Council are said to be founded, declared, that they should cease to operate as soon as France revoked her edicts. It was stated, also, that the British government would proceed *par passu*, with the government of France, in the revocation of her edicts. I will proceed to shew that the obligation on Great Britain to revoke her orders is complete, according to her own engagements, and that the revocation ought not to be longer delayed.—By the act of May 1, 1810, it is provided, ‘That if either Great Britain or France should cease to violate the neutral commerce of the United States, which fact the President should declare by proclamation, and the other party should not within three months thereafter revoke or modify its edicts in like manner, that then certain sections in a former act interdicting the commercial intercourse between the United States and Great Britain and France and their dependencies, should from and after the expiration of three months from the date of the proclamation, be revived and have full force against the former, its colonies and dependencies, and against all articles the growth, produce, or manufacture of the same.’—The violations of neutral commerce alluded to in this act were such as were committed on the high seas. It was in the trade between the United States and the British dominions, that France had violated the neutral rights of the United States by her blockading edicts. It was with the trade of France and her allies that Great Britain had committed similar violations by similar edicts. It was the revocation of those edicts, so far as they committed such violations, which the United States had in view when they passed the law of May 1, 1810, On the

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5th of August, 1810, the French Minister of Foreign Affairs addressed a note to the Minister Plenipotentiary of the United States at Paris, informing him that the decrees of Berlin and Milan were revoked, the revocation to take effect on the 1st of November following; that the measure had been taken by his government in confidence that the British government would revoke its orders and renounce its new principles of blockade, or that the United States would cause their rights to be respected, conformably to the act of May 1, 1810.—This measure of the French Government was founded on the law of May 1, 1810, as is expressly declared in the letter of the Duke of Cadore announcing it. The edicts of Great Britain, the revocation of which were expected by France, were those alluded to in that act; and the means by which the United States should cause their rights to be respected, in case Great Britain should not revoke her edicts, were likewise to be found in the same act. They consisted merely in the enforcement of the Non-importation Act against Great Britain, in that unexpected and improbable contingency.

The letter of the 5th of August, which announced the revocation of the French Decrees, was communicated to this Government; in consequence of which the president issued a proclamation on the 2d of November, the day after that on which the repeal of the French decrees was to take effect, in which he declared, that all the restrictions imposed by the act of May 1, 1811, should cease, and be discontinued in relation to France and her dependencies. It was a necessary consequence of this proclamation, also, that if Great Britain did not revoke her edicts, the Non-importation would operate on her, at the end of three months. This actually took place. She declined the revocation, and on the 2nd of February last that law took effect. In confirmation of the proclamation, an act of Congress was passed on the 2nd of March following.—Great Britain still declines to revoke her edicts on the pretension that France has not revoked her's. Under that impression she infers, that the United States have done her injustice by carrying into effect the Non-importation against her.—The United States maintain that France has revoked her edicts so far as they violated their neutral rights, and were contemplated by the law of May 1, 1810; and have on that ground particularly claimed, and do

expect of Great Britain a similar revocation.—The revocation announced officially by the French Minister of Foreign affairs to the Minister Plenipotentiary of the United States at Paris, on the 5th of Aug. 1810, was in itself sufficient to justify the claim of the United States to a correspondent measure from Great Britain. She had declared that she would proceed *pari passu* in the repeal with France; and the day being fixed when the repeal of the French decrees should take effect, it was reasonable to conclude that Great Britain would fix the same day for the repeal of her Orders. Had this been done, the proclamation of the President would have announced the revocation of the edicts of both powers at the same time, and in consequence thereof the Non-importation would have gone into operation against neither. Such, too, is the natural course of proceeding in transactions between independent states, and such the conduct which they generally observe to each other. In all compacts between nations, it is the duty of each to perform what it stipulates, and to presume on the good faith of the other for a like performance. The United States having made a proposal to both belligerents, were bound to accept a compliance, from either; and it was no objection to the French compliance; that it was in a form to take effect at a future day, that being a form not unusual in laws and in other public acts. Even when nations are at war, and make peace, this obligation of neutral confidence exists and is respected. In treaties of commerce, by which their future intercourse is to be governed, the obligation is the same. If distrust and jealousy is allowed to prevail, the moral tie which binds nations together in all their relations, in war as well as in peace, is broken.—What would Great Britain have hazarded by a prompt compliance in the manner suggested? She had declared she had adopted the restraints imposed by her Orders in Council with reluctance, because of their distressing effect on neutral powers. Here, then, was a favourable opportunity presented to her, to withdraw from that measure with honour, be the conduct of France afterwards what it might. Had Great Britain revoked her orders, and France failed to fulfil her engagement, she would have gained credit at the expence of France; and could have sustained no injury by it, because the failure of France to maintain her faith would have replaced Great Britain at the



point from which she had departed. To say that a disappointed reliance on the good faith of her enemy would have reproached her foresight, would be to set a higher value on that quality than on consistency and good faith, and would sacrifice to a mere suspicion towards an enemy the plain obligations of justice towards a friendly power.—Great Britain has declined proceeding *pari passu* with France in the revocation of their respective edicts. She has held aloof, and claims of the United States proof not only that France has revoked her decrees, but that she continues to act in conformity with the revocation.—To shew that the repeal is respected, it is deemed sufficient to state, that not one vessel has been condemned by French tribunals, on the principles of those decrees, since the first of November last. The New-Orleans Packet from Gibraltar to Bordeaux was detained, but never condemned. The Grace Ann Green, from the same British port to Marseilles, was likewise detained, but afterwards delivered up unconditionally to the owner, as was such part of the cargo of the New-Orleans Packet as consisted of the produce of the United States. Both these vessels proceeding from a British port, carried cargoes, some articles of which in each were prohibited by the laws of France, or admissible by the sanction of the government alone. It does not appear their detention was imputable to any other cause. If imputable to the circumstance of passing from a British to a French port, or on account of any part of their cargoes, it affords no cause of complaint to Great Britain, as a violation of our neutral rights. No such cause would be afforded, even in a case of condemnation. The right of complaint would have belonged to the United States.—In denying the revocation of the decrees, so far as it is a proper subject of discussion between us, it might reasonably be expected that you would produce some examples of vessels taken at sea, in voyages to British ports, or on their return home, and condemned under them by a French tribunal. None such has been afforded by you.—None such are known to this government.—You urge only as an evidence, that the decrees are not repealed; the Speech of the Emperor of France to the deputies from the free cities of Hamburg, Bremen, and Lubeck; the Imperial edict dated at Fontainebleau on the 19th of October, 1810; the report of the French Minister of foreign affairs,

dated in December last; and a letter of the Minister of Justice to the President of the council of prizes of the 25th of that month.—There is nothing in the first of these papers incompatible with the revocation of the Decrees, in respect to the United States. It is distinctly declared by the Emperor in his Speech to the Deputies of the Hanse Towns, that the blockade of the British Islands shall cease when the British blockades cease; and that the French blockade shall cease in favour of those nations in whose favour Great Britain revokes her's, or who support their rights against her pretensions, as France admits the United States will do by enforcing the non-importation act. The same sentiment is expressed in the report of the Minister of Foreign affairs. The decree of Fontainebleau having no effect on the high seas, cannot be brought into this discussion. It evidently has no connection with neutral rights. The letter from the Minister of Justice, to the President of the Council of Prizes, is of a different character. It relates in direct terms to this subject, but not in the sense in which you understand it. After reciting the note from the Duke of Cadore, of the 5th of August last, to the American Minister at Paris, which announced the repeal of the French decrees, and the Proclamation of the President in consequence of it, it states, that all causes arising under those Decrees after the first of November, which were then before the Court, or might afterwards be brought before it, should not be judged by the principles of the Decrees, but be suspended until the 2d of February, when the United States having fulfilled their engagement, the captures should be declared void, and the vessels and their cargoes delivered up to their owners. This paper appears to afford an unequivocal evidence of the revocation of the Decrees, so far as relates to the United States. By instructing the French tribunal to make no decision till the 2d of February, and then to restore the property to the owners, on a particular event which has happened, all cause of doubt on that point seems to be removed. The United States may justly complain of delay in the restitution of the property, but that is an injury which affects them only. Great Britain has no right to complain of it. She was interested only in the revocation of the decrees by which neutral rights would be secured from future violation: or if she had been interested in the delay, it would

have a delay of Feb of Feb the Fro same d I mig commu Govern atives t in acc Berlin the neu But it v and on ing to c that th the wa a pledg case oc were i to whic that th proofs need n found i Orders evince forced, they w Britain letters, Orders the Co which decrees are rep States, to trad meant ed to tr she tra time, I to the Great B Is it pro standin Between of anot There i any, o maintai tend th France there c of eith confisc The nu try wh questio relation



have afforded no pretext for more than a delay in repealing her orders, till the 2d of February. From that day at farthest the French decrees would cease. At the same day ought her orders to have ceased. I might add to this statement, that every communication received from the French Government, either through our Representatives there, or its Representatives here, are in accord with the actual repeal of the Berlin and Milan decrees, in relation to the neutral commerce of the United States. But it will suffice to remark, that the best and only adequate evidence of their ceasing to operate, is the defect of evidence that they do operate. It is a case where the want of proof against the fulfilment of a pledge, is proof of the fulfilment. Every case occurring, to which, if the decrees were in force, they would be applied, and to which they are not applied, is a proof that they are not in force. And if these proofs have not been more multiplied, I need not remind you that a cause is to be found in the numerous captures under your Orders in Council, which continue to evince the rigour with which they are enforced, after a failure of the basis on which they were supposed to rest.—But Great Britain contends, as appears by your last letters, that she ought not to revoke her Orders in Council, until the commerce of the Continent is restored to the state in which it stood before the Berlin and Milan decrees issued,—until the French decrees are repealed, not only as to the United States, but so as to permit Great Britain to trade with the Continent. Is it, then, meant that Great Britain should be allowed to trade with all the powers with whom she traded at that epoch? Since that time, France has extended her conquests to the north, and raised enemies against Great Britain where she then had friends. Is it proposed to trade with them, notwithstanding the change in their situation? Between the enemies of one date and those of another, no discrimination can be made. There is none in reason, nor can there be any, of right, in practice. Or do you maintain the general principle, and contend that Great Britain ought to trade with France and her allies? Between enemies there can be no commerce. The vessels of either taken by the other are liable to confiscation, and are always confiscated. The number of enemies, or extent of country which they occupy, cannot affect the question. The laws of war govern the relation which subsists between them;

which, especially in the circumstance under consideration, are invariable. They were the same in times the most remote that they now are. Even if peace had taken place between Great Britain and the Powers of the Continent, she could not trade with them without their consent. Or does Great Britain contend, that the United States, as a neutral power, ought to open the Continent to her commerce, on such terms as she may designate? On what principle can she set up such a claim? No example of it can be found in the history of past wars, nor is it founded in any recognised principle of war, or in any semblance of reason or right. The United States could not maintain such a claim in their own favour, though neutral. When advanced in favour of an enemy, it would be the most preposterous and extravagant claim ever heard of. Every power when not restrained by treaty, has a right to regulate its trade with other nations, in such manner as it finds most consistent with its interests; to admit, and on its own conditions, or to prohibit the importation of such articles as are necessary to supply the wants, or encourage the industry of its people. In what light would Great Britain view an application from the United States for the repeal of right of any act of her Parliament, which prohibited the importation of any article from the United States,—such as their fish or their oil? or which claimed the diminution of the duty on any other, such as their tobacco, on which so great a revenue is raised? In what light would she view a similar application made at the instance of France, for the importation into England, of any article the growth or manufacture of that Power which it was the policy of the British Government to prohibit.—If delays have taken place in the restitution of American property, and in placing the American commerce in the ports of France on a fair and satisfactory basis, they involve questions, as has already been observed, in which the United States alone are interested. As they do not violate the revocation by France of her edicts, they cannot impair the obligation of Great Britain to revoke her's; nor change the epoch at which the revocation ought to have taken place. Had that duly followed, it is more than probable that those circumstances, irrelative as they are, which have excited doubt in the British Government of the practical revocation of the French decrees, might not have oc-



curred.—Every view which can be taken of this subject increases the painful surprise at the innovations on all the principles and usages heretofore observed, which are so unreservedly contended for, in your letters of the 3d and 16th instant, and which, if persisted in by your Government, present such an obstacle to the wishes of the United States, for a removal of the difficulties which have been connected with the Orders in Council. It is the interests of the belligerents to mitigate the calamities of war; and neutral powers possess ample means to promote that object, provided they sustain with impartiality and firmness the dignity of their station. If belligerents expect advantage from neutrals, they should leave them in the full enjoyment of their rights. The present war has been oppressive beyond example, by its duration, and by the desolation which it has spread throughout Europe. It is highly important that it should assume, at least, a milder character. By the revocation of the French edicts, so far as they respected the neutral commerce of the United States, some advance is made towards that most desirable and consoling result. Let Great Britain follow the example. The ground thus gained will soon be enlarged, by the concurring and pressing interest of all parties; and whatever is gained will accrue to the advantage of afflicted humanity.—I proceed to notice another part of your letter of the 3d instant, which is viewed in a more favourable light. The President has received with great satisfaction the communication, that should the Orders in Council of 1807 be revoked, the blockade of May of the preceding year would cease with them; and that any blockade which should afterwards be instituted, should be duly notified and maintained by an adequate force. This frank and explicit declaration, worthy of the prompt and amicable measure adopted by the Prince Regent in coming into power, seems to remove a material obstacle to an accommodation of differences between our countries; and, when followed by the revocation of the Orders in Council, will as I am authorised to inform you, produce an immediate termination of the non-importation law by an exercise of the power vested in the President for that purpose.—I conclude with remarking, that if I have confined this letter to the subjects brought

into view by your's, it is not because the United States have lost sight in any degree of the other very serious causes of complaint on which they have received no satisfaction, but because the conciliatory policy of this Government has thus far separated the case of the Orders in Council from others; and because, with respect to these others, your communication has not afforded any reasonable prospect of resuming them, at this time, with success. It is presumed, that the same liberal view of the true interest of Great Britain, and friendly disposition towards the United States, which induced the Prince Regent to remove so material a difficulty as had arisen in relation to a repeal of the Orders in Council, will lead to a more favourable farther consideration of the remaining difficulties on that subject; and that the advantages of an amicable adjustment of every question, depending between the two countries, will be seen by your Government in the same light as they are by that of the United States.

*Mr. Foster to Mr. Monroe, July 24, 1811.*

Sir,—Having been unable to ascertain distinctly from your letter to me of yesterday's date, whether it was the determination of the President to rest satisfied with the partial repeal of the Berlin and Milan decrees, which you believe has taken place, so as to see no reason in the conduct of France for altering the relations between this country and Great Britain, by exercising his power of suspending the operation of the Non-importation Act, allow me to repeat my question to you on this point, as contained in my letter of the 14th instant, before I proceed to make any comments on your answer.

*Mr. Pinkney to Mr. Smith. — London, Jan. 17, 1811.*

Sir,—I had the honour to receive, on the 5th instant, while I was confined by a severe illness, your letter of the 15th of November; and as soon as I was able, prepared a note to Lord Wellesley, in conformity with it.—On the 3d inst. I had received a letter from Lord Wellesley, bearing date the 29 ult. on the subject of the Orders in Council, and the British blockades, to which I was anxious to reply, at the same time that I obeyed the orders of the President signified in your letter above-mentioned.

*(To be continued.)*

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